

United States Patent and Trademark Office





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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,308	01/17/2002	James Redding	32414.28	6786
75	90 10/03/2002			
Fredrikson & Byron 1100 International Centre 900 Second Avenue South			EXAMINER	
			PARADISO, JOHN ROGER	
Minneapolis, MN 55402			ART UNIT	PAPER NUMBER
			3721	
			DATE MAILED: 10/03/2002	DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner	<u> </u>		Application No.	Applicant(s)			
John R. Paradiso 3721	Office Action Summary		09/913,308	REDDING, JAMES			
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provision of 3° CFR 1.78(g), in no event, however, may a reply be timely filed and the provision of 3° CFR 1.78(g), in no event, however, may a reply be timely filed and the provision of time may be available under the provision of 3° CFR 1.78(g), in no event, however, may a reply be timely filed and the provision of th			Examiner	Art Unit			
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.35(u). In no event, however, may a reply be timaly filled If the period for may periodical above, be maximum statutory principled will apply and will expire SK (5) MONTHS from the mailtag date of this communication. If NO period for reply is specified above, be maximum statutory principled will apply and will expire SK (6) MONTHS from the mailtag date of this communication. Failus to imply specified above, be maximum statutory principled will apply and will expire SK (6) MONTHS from the mailtag date of this communication, and patient term adjustment. See 37 CFR 1.70(b). Status 1)							
THE MAILING DATE OF THIS COMMUNICATION. Extensions of time raple variables under the provisions of 3 CFR 1.15(6). In or event, however, may a reply be timely filed after 5X (6) MONTHS from the mailing date of this communication. If the period to reply seedled below a last that any object of the communication of the provision of Claims 4) Claim(s) 1-26 is/are pending in the application. 4a) Of the above claim(s)	· ·						
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-26 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: allowed. 11) The proposed drawing correction filed on is: allowed in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: allowed in abeyance is a supervoved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some *c) None of: 1. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
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Application/Control Number: 09/913,308

Art Unit: 3721

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in the United Kingdon on 12/2/1999. It is noted, however, that applicant has not filed a certified copy of the foreign application as required by 35 U.S.C. 119(b).

Specification

2. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 4. Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by GOMEZ ET AL (US 4372478), which substantially discloses the claimed invention.

Conclusion

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Paradiso. The examiner can normally be reached Monday-Friday, 9:30 p.m. – 6:00 p.m. (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, can be reached at the number listed below.

Any inquiry of a general nature or relating to the status of this application should be directed to the 3700 Technology Center receptionist.

Éxaminer John Paradiso Fax (Direct to Examiner):

(703) 308-2825

(703) 746-3253

Supervisor Rinaldi Rada

(703) 308-2187

Receptionist

(703) 308-1148

October 1, 2002